

48-1d-1103 Reinstatement.

- (1) A limited liability partnership whose statement of qualification has been revoked administratively under Section 48-1d-1102 may apply to the division for reinstatement of the statement of qualification not later than two years after the effective date of the revocation. The application must state:
 - (a) the name of the partnership at the time of the administrative revocation of its statement of qualification and, if needed, a different name that satisfies Section 48-1d-1105;
 - (b) the address of the principal office of the partnership and information required under Subsection 16-17-203(1);
 - (c) the effective date of administrative revocation of the partnership's statement of qualification; and
 - (d) that the grounds for revocation did not exist or have been cured.
- (2) To have its statement of qualification reinstated, a partnership whose statement of qualification has been revoked administratively must pay all fees, taxes, and penalties that were due to the division at the time of the administrative revocation and all fees, taxes, and penalties that would have been due to the division while the partnership's statement of qualification was revoked administratively.
- (3) If the division determines that the application contains the information required by Subsection (1), is satisfied that the information is correct, and determines that all payments required to be made to the division by Subsection (2) have been made, the division shall:
 - (a) cancel the statement of revocation and prepare a statement of reinstatement that states the division's determination and the effective date of reinstatement;
 - (b) file the statement of revocation; and
 - (c) serve a copy of the statement of revocation on the limited liability partnership.
- (4) When reinstatement under this section is effective, the following rules apply:
 - (a) the reinstatement relates back to and takes effect as of the effective date of the administrative revocation; and
 - (b) the partnership's status as a limited liability partnership continues as if the revocation had not occurred, except for the rights of a person arising out of an act or omission in reliance on the revocation before the person knew or had notice of the reinstatement are not affected.

Enacted by Chapter 412, 2013 General Session